

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

TRUSTEES OF THE NATIONAL RETIREMENT  
FUND,

Plaintiffs,

-against-

SHUBH HOTELS DETROIT, LLC and JOHN DOES 1-  
10 (all other trades or businesses under common control  
with SHUBH HOTELS DETROIT, LLC),

Defendants.

19-cv-08100 (CS)

**DEFAULT JUDGMENT**

This action having been commenced on August 29, 2019 by filing of a Complaint, and Plaintiffs Trustees of the National Retirement Fund ("Plaintiffs") having served copies of the Summons and Complaint upon Shubh Hotels Detroit, LLC ("Defendant Shubh"), a Florida limited liability company, on October 23, 2019 by personal service upon Jane Carlene Rankin, Esq., Registered Agent authorized to receive service, and proof of such service having been filed with the Court on November 4, 2019, and Defendant Shubh not having appeared, answered, or otherwise moved with respect to the Complaint, and the time for appearing, answering or moving having expired, and the Court having issued its Order to Show Cause requiring Defendant Shubh to show cause before the Court why a Default Judgment should not be entered against Defendant Shubh, and the Court having held a hearing pursuant to the Order to Show Cause, and Defendant Shubh having failed to appear at the show cause hearing; it is

**NOW, THEREFORE**, upon application of the Plaintiffs and upon reading the Affidavits of David C. Sapp, Esq., duly sworn the 26<sup>th</sup> day of November 2019, and the Certificate of Ruby J. Krajick, Clerk of Court, United States District Court for the Southern District of New York, noting the default of Defendant Shubh, for failure to appear, answer or otherwise move with respect to the Complaint, it is hereby,

**ORDERED, ADJUDGED AND DECREED**, that Plaintiffs have Judgment against Defendant Shubh for withdrawal liability in the principal amount of \$568,443.00 with interest thereon computed in accordance with 29 U.S.C. §1132(g)(2), the regulations of the Pension Benefit Guaranty Corporation and the Plaintiff Fund's rules and regulations with respect to employer withdrawal liability from January 1, 2019, the date of the first missed quarterly withdrawal liability payment, through the date of judgment in the amount of \$62,528.73, liquidated damages pursuant to 29 U.S.C. §1132(g)(2) and the Plaintiff Fund's rules and regulations with respect to employer withdrawal liability in the amount of \$113,688.60, and costs in the amount of \$400.00, for a total Judgment in the amount of \$745,060.33; and it is further

**ORDERED, ADJUDGED AND DECREED**, that Plaintiffs have Judgment against Defendant Shubh permanently restraining and enjoining Defendant Shubh and all of its officers, employees, agents, representatives, and all persons acting in concert with them from distributing, alienating, transferring, assigning, encumbering or otherwise disposing of the assets of Defendant Shubh, regardless of the amounts, if any, or the nature of the consideration received therefore; and it is further

**ORDERED, ADJUDGED AND DECREED** that interest shall continue to accrue on the amount due under this Judgment at the legal rate as defined in 28 U.S.C. §1961 from the date of entry of this Judgment on \_\_\_\_\_, 2019 until the Judgment is fully satisfied.

Dated: 1/3/20  
White Plains, New York

**SO ORDERED:**

  
\_\_\_\_\_  
Honorable Cathy Seibel  
United States District Judge